

2681 #6

367.39322X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: R. HEAYSMAN  
Serial No.: 09/718,498  
Filed: November 24, 2000  
For: RADIOTELEPHONE HANDSET  
Group: Not yet assigned  
Attention: Missing Parts

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OCT 25 2001  
Technology Center 2600

RENEWED PETITION & SUBMISSION OF DECLARATION  
UNDER 37 CFR §1.63

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

October 23, 2001

RECEIVED  
OCT 31 2001

Sir:

Applicants are in receipt of the September 13, 2001 OFFICE OF PETITIONS Decision wherein it was indicated that the August 6, 2001 Petition under 37 CFR §1.47(b) in response to the Notice of Missing Parts dated April 6, 2001 was not acceptable because it did not fully comply with the requirements under 37 CFR §1.47(b). Namely the September 13, 2001 Decision indicated that the Declaration and Power of Attorney submitted with the August 6, 2001 Petition did not identify the citizenship of inventor Renford HEAYSMAN. The contents of the August 6, 2001 Petition are incorporated herein by reference.

Particularly, the September 13, 2001 Decision indicated that Applicants have complied with at least five of the six requirements for a grantable Petition under 37 CFR §1.47(b). Specifically, Applicants have complied with the requirements: (1) Proof that the non-signing inventor cannot

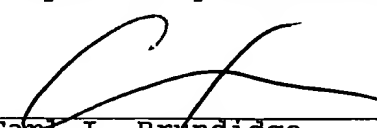
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be reached or refuses to sign the Oath or Declaration after having been presented with the application papers; (3) the Petition fee; (4) a statement of the last known address of the non-signing inventor; (5) proof that rule 47(b) Applicant has sufficient proprietary interest in the subject matter to justify the filing of the application; and (6) proof of irreparable damage. However, the September 13, 2001 Decision indicated that the requirement (2) an acceptable Oath or Declaration in compliance with 37 CFR §1.63 has not been satisfied.

In response to the September 13, 2001 Decision, Applicants are submitting on even date herewith a Declaration and Power of Attorney in compliance with 37 CFR §1.63 identifying the citizenship of inventor Renford HEAYSMAN as being the United Kingdom. Thus, Applicants submit that the requirement (2) as set forth in the September 13, 2001 Decision has been satisfied. Therefore, the Decision Refusing Status Under 37 CFR §1.47(b) has been overcome and should be withdrawn.

Should any additional fees become due in connection with the filing of this Declaration, please charge Deposit Account No. 01-2135 (Case No. 367.39322X00).

Respectfully submitted,



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CIB/jdc  
Enclosures  
703/312-6600